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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,404	06/29/2000	Masajiro Fukunaga	072982/0202	7055

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FOLEY AND LARDNER
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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/606,404

Applicant(s)

FUKUNAGA ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4. 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the application filed on June 29, 2000. Claims 1-18 are pending examination. Claims 1-18 represent a personal identification system and method for an information processing system.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "21" and "31" have both been used to designate local computer; reference characters "23" and "33" have both been used to designate logon program; reference characters "24" and "34" have both been used to designate characteristics data; reference characters "22" and "32" have both been used to designate scanning section; reference characters "2" and "3" have both been used to designate local computer system. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6, 10-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itsumi et al, U.S. Patent No. 5,887,140 (referred to hereafter as Itsumi) in view of Terao, U.S. Patent No. 6,256,402.

Itsumi teaches the invention substantially as claimed including an identification server that performs an identification process in accordance with physical characteristics of a user (see abstract).

As per claims 1 and 10, Itsumi teaches a personal identification system and method for an information processing system including two or more local computers and a remote computer having common resources which can be accessed by each of the local computers comprising:

a personal verification system as common equipment for the local computers including a database means for storing passwords of each authorized user and physical characteristics data corresponding to each password (see fig. 1 and its illustration) wherein:

the local computer is provided with a physical characteristics scanning/sending means for scanning physical characteristics of a user when the user made a request to the local computer for the use of the common resources of the remote computer, generating characteristics data based on the scanned physical characteristics of the user, and sending the characteristics data to the personal verification system (see col. 1 lines 63-67 and col. 2 lines 1-2), and

Itsumi doesn't teach the personal verification system which received the characteristics data from the physical from the physical characteristics

scanning/sending means of the local computer searches the database means for a password using the received characteristics data as a key and sends the searched password to the local computer and the local computer which received the password from the personal verification system sends the received password to the remote computer of user identification.

However Terao teaches a personal identification system where the personal verification system which received the characteristics data from the physical from the physical characteristics scanning/sending means of the local computer searches the database means for a password using the received characteristics data as a key and sends the searched password to the local computer (see col. 1 lines 58-59), and the local computer which received the password from the personal verification system sends the received password to the remote computer of user identification (see col. 1 lines 60-61).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Itsumi in view of the personal identification system as in Terao to include a database of passwords where each stored password correspond to physical characteristics of a registered user. One would be motivated to include the database of passwords that correspond to physical characteristics of users in Itsumi's personal identification method because doing so would allow the user to send a password to a remote computer instead of physical characteristics which results in a much faster user verification since the processing of the physical characteristics occurs at the local computer rather than at the remote computer.

As per claims 2 and 11, Itsumi further teaches a personal identification system as in claims 1 and 10, wherein the remote computer includes a user personal identification means for executing personal identification of the user by use of the password which is sent from the local computer (see col. 1 lines 55-58).

As per claims 3 and 12, Itsumi also teaches a personal identification system as claimed in claims 1 and 10, wherein the local computers, the remote computer and the personal verification system are connected together by a communication network (see fig. 8 and fig. 10 and corresponding illustrations).

As per claims 6 and 15, Terao teaches a personal identification system as claimed in claims 1 and 10, wherein a fingerprint of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see abstract lines 3-8).

4. Claims 4, 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itsumi in view of Terao and further in view of Clark, U.S. Patent No. 6,445,777.

As per claims 4 and 13, the combined system Itsumi and Terao do not teach a personal identification system as claimed in claims 1 and 10 wherein the communication network is an Ethernet LAN.

However, Clark teaches a communications system wherein the communication network is an Ethernet LAN (see col. 4 lines 8-17).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Itsumi in view of the communications network as in Clark to

connect the remote computer to the local computers using the Ethernet LAN. One would be motivated to include the Ethernet LAN in the combined system of Itsumi and Terao because Ethernet LAN's bandwidth is about 10 Mbit/s. and its transfer rate with TCP/IP is typically 30 kilobyte per second that would provide the user with relatively high speed network connection.

As per claims 5 and 14, Clark also teaches a communications system wherein the communication network is a wireless LAN (see abstract).

5. Claims 7-9 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itsumi in view of Terao and further in view of Kigo et al, U.S. Patent No. 6,445,777 (referred to hereafter as Kigo).

As per claims 7 and 16, Itsumi and Terao do not teach a personal identification system as claimed in claims 1 and 10 wherein an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user.

However Kigo teaches an identification system where an iris pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Itsumi in view of the physical characteristics of the user as in Kigo to include different kinds of physical input characteristics such as iris pattern, retina pattern or voiceprint. One would be motivated to include the iris pattern scanning in the combined system of Itsumi and Terao because doing so would distinctly identify users

and prevent any unauthorized user from accessing the computer since two users cannot have the same iris pattern and thus creating a safe network environment that can only be accessed by users whose physical properties are identified by the computer.

As per claims 8 and 15, Kigo teaches a retina pattern of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34)

As per claims 9 and 18, Kigo also teaches a voiceprint of the user is scanned by the physical characteristics scanning/sending means as the physical characteristics of the user (see claim 34).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- client-server system for controlling access rights to certain services by a user of a client terminal by Susaki et al., U.S. Patent No. 6,189,032.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein El-chanti whose telephone number is (703) 305-4652. The examiner can normally be reached on Monday through Thursday from 8:00 am. – 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9679 for regular communications and (703)746-9679 for After Final communications.

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Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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After Final Rejection Fax #	(703) 746-7238
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Hussein El-chanti

Date: July 29, 2003



SALEH NAJJAR
PRIMARY EXAMINER